

<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		<b>ATTORNEY'S DOCKET NUMBER</b> 2854PCTUS(203-3081PCTUS) <b>U.S. APPLICATION NO. (if known see 37 CFR 1.5)</b> <b>10/7521901</b>
<b>INTERNATIONAL APPLICATION NO.</b> PCT/US03/22900	<b>INTERNATIONAL FILING DATE</b> 23/07/2003	<b>PRIORITY DATE CLAIMED</b> 25/07/2002
<b>TITLE OF INVENTION</b> <b>ELECTROSURGICAL PENCIL WITH DRAG SENSING CAPABILITY</b>		
<b>APPLICANT(S) FOR DO/EO/US</b> <b>Thomas L. Buchman, III et al.</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"><li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</li><li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</li><li>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li><li>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</li><li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))<ol style="list-style-type: none"><li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li><li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li><li>c. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li></ol></li><li>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).<ol style="list-style-type: none"><li>a. <input type="checkbox"/> is attached hereto.</li><li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li></ol></li><li>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))<ol style="list-style-type: none"><li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li><li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li><li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li><li>d. <input type="checkbox"/> have not been made and will not be made.</li></ol></li><li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li><li>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li><li>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li></ol>		
Items 11 to 20 below concern document(s) or information included:		
<ol style="list-style-type: none"><li>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li><li>12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li><li>13. <input type="checkbox"/> A preliminary amendment.</li><li>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</li><li>15. <input type="checkbox"/> A substitute specification.</li><li>16. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter.</li><li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.</li><li>18. <input type="checkbox"/> A second copy of the publication.</li><li>19. <input type="checkbox"/> copies of: Reply to Comm. w/substitute 1st sheet Request; Notif. Tm Search Report w/ PCT/ISA/210; Reply to Inv. to Corr. Def w/Appt of Rep, PCT Power; 5 sheets Formal Drawings; Notif. Search Copy w/comm 10/17/03; Notif. Conc. Subm. of Priority Doc; Notif. Receipt of Record copy; Notif. of Int'l Appln. No.</li><li>20. <input checked="" type="checkbox"/> Other items or information: and Int'l Filing Date; PCT Request (six pages)</li></ol>		

CERTIFICATION UNDER 37 C.F.R. § 1.10

I hereby certify that this correspondence and the documents referred to as enclosed are being deposited with the United States Postal Service on data label in an envelope as "Express Mail Post Office to Addressee" Mail Label Number EL983569786US addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: January 14, 2005

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10/521901</b>		INTERNATIONAL APPLICATION NO. PCT/US03/22900		ATTORNEY'S DOCKET NUMBER 2854PCTUS(203-3081PCTU)	
21. The following fees are submitted:				Applicant use	Office use only
<input checked="" type="checkbox"/> a) Basic national fee..... \$300.00				\$ 300.00	
<input checked="" type="checkbox"/> b) Examination fee..... \$200.00				\$ 200.00	
<input checked="" type="checkbox"/> c) Search fee..... \$500.00				\$ 500.00	
<b>TOTAL OF ABOVE CALCULATIONS = \$1000.00</b>				\$ 1,000.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		x \$250.00	\$ 0	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ 0	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	18 - 20 =	0	x \$50.00	\$ 0	
Independent claims	2 - 3 =	0	x \$200.00	\$ 0	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$ 0	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ 0	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	
<b>SUBTOTAL =</b>				\$ 1,000.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$ 0	
<b>TOTAL NATIONAL FEE =</b>				\$ 1,000.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$ 80.00	
<b>TOTAL FEES ENCLOSED =</b>				\$ 1,080.00	
Amount to be refunded:					\$
Amount to be charged					\$
<p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>21-0550</u> in the amount of \$ <u>1,080.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>21-0550</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>					
<p><b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p> <p>Mark Farber, Esq. United States Surgical, a division of Tyco Healthcare Group LP 150 Glover Avenue Norwalk, CT 06856 USA</p>					
				SIGNATURE	
				Edward C. Meagher	
				NAME	
				41,189	
				REGISTRATION NUMBER	

10/521901

DOCKET: 10/521901 PCT

D101 Rec'd PCT/PTO 14 JAN 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Sherwood Services AG  
International Application No.: PCT/US03/22900  
International Filing Date: 23 July 2003  
Priority Date Claimed: 25 July 2002  
Title of Invention: ELECTROSURGICAL PENCIL WITH  
DRAG SENSING CAPABILITY

Assistant Commissioner for Patent, Box PCT  
Washington, DC 20231  
Attention: RO/US -Barbara Fridle

REPLY TO INVITATION TO CORRECT DEFECTS

Dear Sir:

The following Reply is being submitted to the Invitation to Correct Defects Form PCT/RO/106 mailed 05 September 2003 in the above-identified international application. In reply to the defects specified on Annex A, a Power of Attorney and an executed Appointment of Representative Form is submitted herewith.

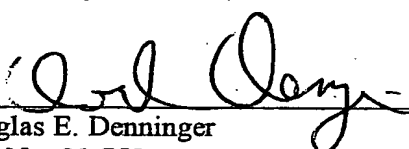
In reply to Annex C1, please substitute the enclosed five (5) sheets of Drawings for Figures 1 through 5.

In the event any extensions of time are required, please treat this paper as a petition to extend time as required and charge Deposit Account No. 21-0550. TWO (2) DUPLICATE COPIES OF THIS SHEET ARE ENCLOSED. Please contact applicant's undersigned attorney should there be any questions.

Respectfully submitted,

November 12, 2003

Date

  
\_\_\_\_\_  
Douglas E. Denninger  
Reg. No. 31,752  
Attorney for Applicant(s)

United States Surgical, a division of  
TYCO HEALTHCARE GROUP LP  
150 Glover Avenue  
Norwalk, CT 06850  
(203) 845-4286

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**10/521901**

**DT01 Rec'd PCT/PTO 14 JAN 2005**

Applicant: Sherwood Services AG  
 International Application No.: PCT/US03/22900  
 International Filing Date: 23 July 2003  
 Priority Date Claimed: 25 July 2002  
 Title of Invention: ELECTROSURGICAL PENCIL WITH  
 DRAG SENSING CAPABILITY

**CERTIFICATE OF MAILING**

Date of Deposit: November 12, 2003

I hereby certify that the following:

- ☒ This Certificate of Mailing
- ☒ Reply to Invitation to Correct Defects in the International Application
- ☒ Appointment of Representative
- ☒ PCT Power of Attorney
- ☒ Five (5) sheets of Formal Drawings, Figures 1-5
- ☒ Return postcard

are being deposited with the United States Postal Service under 37 CFR Section 1.10 on the Date of Deposit indicated above in an envelope addressed to the Assistant Commissioner for Patent, Box PCT, Washington, DC 20231, Attention: RO/US – Barbara Fridie.

  
 Yolanda S. Herr

United States Surgical, a division of  
 TYCO HEALTHCARE GROUP LP  
 150 Glover Avenue  
 Norwalk, CT 06856  
 (203) 845-1855

KET: 2854 PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

107521901

DT01 Rec'd PCT/PTC 14 JAN 2005

Applicant: Sherwood Services AG  
International Application No.: PCT/US03/022900  
International Filing Date: 23 July 2003  
Priority Date Claimed: 25 July 2002  
For: ELECTROSURGICAL PENCIL WITH DRAG SENSING CAPABILITY

CERTIFICATE OF MAILING

Date of Deposit: March 3, 2004

I hereby certify that the following:

- ☒ This Certificate of Mailing
- ☒ Reply to Communication in Cases for  
Which no other form is Applicable
- ☒ Page 1 of the Corrected PCT Request
- ☒ Return postcard

are being deposited with the United States Postal Office service on the Date of Deposit indicated above in an envelope addressed to the United States Patent and Trademark Office, P.O. Box 2327, BOX: PCT, Arlington, VA 22202.

  
Vanessa M. Rosado

United States Surgical, a division of  
TYCO HEALTHCARE GROUP LP  
150 Glover Avenue  
Norwalk, CT 06856  
(203) 845-1172

10/521901

DT01 Rec'd PCT/PTO 14 JAN 2005

DOCKET: 2854 PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Sherwood Services AG  
International Application No.: PCT/US03/022900  
International Filing Date: 23 July 2003  
Priority Date Claimed: 25 July 2002  
For: ELECTROSURGICAL PENCIL WITH DRAG  
SENSING CAPABILITY

The International Bureau of WIPO  
34, chemin des Colombettes  
1211 Geneva 20  
Switzerland  
Attention: El Mostafa Moussaid

REPLY TO COMMUNICATION IN CASES FOR WHICH  
NO OTHER FORM IS APPLICABLE

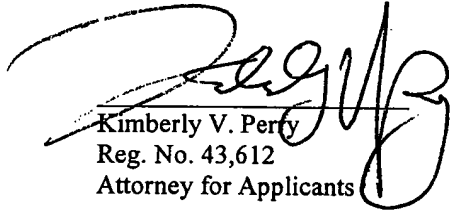
Dear Sir:

The following Reply is being submitted to the above-described Important Communication Form PCT/IB345 mailed 4 February 2004 in the above-identified international application. In response to the Communication in cases for which no other form is applicable, Applicant hereby submits a substitute "Sheet No. 1" of the Request. The new Sheet No. 1 corrects a typographical error in the originally filed Sheet No. 1. The substitution sheet corrects the Address for Correspondence, which in fact is 150 Glover Avenue, not 10 Glover Avenue.

Respectfully submitted,

Date

3/3/04

  
Kimberly V. Perry  
Reg. No. 43,612  
Attorney for Applicants

U.S. Surgical, a division of  
Tyco Healthcare Group LP  
150 Glover Avenue  
Norwalk, CT 06856  
203-845-4562